UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

o. 1:11-cv-6696-KBF 1:11-cv-6701-KBF 1:11-cv-6704-KBF
URY TRIAL DEMANDED ECF Case
Lor ouse
Ĺ

NOTICE OF JOINDER TO EXCHANGE DEFENDANTS' REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT FOR FAILURE TO COMPLY WITH THE WRITTEN DESCRIPTION REQUIREMENT (DOCKET NO. 603 IN CASE NO. 1:11-CV-6697)

Defendants The Goldman Sachs Group, Inc., Goldman, Sachs & Co., Goldman Sachs Execution & Clearing, L.P., J.P. Morgan Chase & Co., J.P. Morgan Securities, Inc., J.P. Morgan Clearing Corp., Morgan Stanley, Morgan Stanley & Co, Incorporated, Credit Suisse Holdings (USA), Inc., Credit Suisse Securities (USA) LLC, BNY ConvergEx Group LLC, BNY ConvergEx Execution Solutions LLC, HSBC Bank USA, N.A., and HSBC Securities (USA), Inc. (collectively, the "Bank Defendants") respectfully join the Reply in Support of Defendants' Motion for Summary Judgment for Failure to Comply with the Written Description Requirement filed by the Exchange Defendants in *Realtime Data, LLC v. CME Group, Inc., et al.*, Consolidated Case Nos. 1:11-cv-6697 (Dkt. No. 603), 1:11-cv-6699, and 1:11-cv-6702. For the

The Bank Defendants understand that a similar notice of joinder will be filed by the Data Provider Defendants in *Realtime Data, LLC v. Thomson Reuters, et al.*, Consolidated Case Nos. 1:11-cv-6700, and 1:11-cv-6700.

reasons presented in the Exchange Defendants' Opening Brief and Reply, the Bank Defendants respectfully request that the Court grant Defendants' Motion for Summary Judgment.

Dated: April 25, 2012 Respectfully submitted,

/s/ Daniel A. DeVito

Daniel A. DeVito Douglas R. Nemec SKADDEN ARPS SLATE MEAGHER & FLOM LLP Four Times Square

New York, NY 10036 Phone: (212) 735-3000 Fax: (917) 777-3210

Daniel.DeVito@skadden.com Douglas.Nemec@skadden.com

Matthew D. Buchanan Gareth DeWalt SKADDEN ARPS SLATE MEAGHER & FLOM LLP 525 University Avenue, Suite 1100 Palo Alto, CA 94301 Phone: (650) 470-4500 Fax: (650) 470-4570

Matthew.Buchanan@skadden.com Gareth.Dewalt@skadden.com

Attorneys for Defendants Morgan Stanley, Morgan Stanley & Co. Incorporated, J.P. Morgan Chase & Co., J.P. Morgan Securities, Inc., J.P. Morgan Clearing Corp., The Goldman Sachs Group, Inc., Goldman, Sachs & Co., and Goldman Sachs Execution & Clearing, L.P.

By: Gregory H. Lantier (with Armission)

Gregory H. Lantier

WILMER CUTLER PICKERING HALE AND DORR LLP 1875 Pennsylvania Ave., N.W.

Washington, DC 20006 Phone: (202) 663-6327 Fax: (202) 663-6363

Gregory.Lantier@wilmerhale.com

William F. Lee Mark G. Matuschak WILMER CUTLER PICKERING HALE AND DORR LLP 60 State Street Boston, MA 02109 Phone: (617) 526-5000 Fax: (617) 526-6000

William.Lee@wilmerhale.com mark.matuschak@wilmerhale.com

Attorneys for Credit Suisse Holdings (USA), Inc. and Credit Suisse Securities (USA), LLC

By: M. Scott Foller (with Permission.)

Edwin R. De Young
Roger Brian Cowie
Roy W. Hardin
M. Scott Fuller
Galyn Gafford
LOCKE LORD LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Phone: (214) 740-8000
Fax: (214) 740-8800

Gregory T. Casamento LOCKE LORD LLP Three World Financial Center New York, NY 10281-2101 Phone: (212) 415-8600 Fax: (212) 303-2754

Attorneys for Defendants HSBC Bank USA, N.A. and HSBC Securities (USA), Inc.

By: Steven Cherry (with Peraissian.)

Steven Cherny KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 Phone: (212) 446-4965

Fax: (212) 446-4900

steven.cherny@kirkland.com

Amanda Hollis KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, IL 60654 Phone: (312) 862-2011

Phone: (312) 862-2011 Fax: (312) 862-2200

amanda.hollis@kirkland.com

Attorneys for Defendants BNY ConvergEx Group, LLC and BNY ConvergEx Execution Solutions, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule 5.2 via the Court's CM/ECF system on April 25, 2012, and, as such, was served on all counsel of record.

/s/ Daniel A. DeVito
Daniel A. DeVito